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UNCLAS SECTION 01 OF 04 KATHMANDU 000135

SIPDIS

STATE FOR SA/INS AND DS/IP/NEA
STATE ALSO PLEASE PASS USAID/DCHA/OFDA
USAID FOR ANE/AA GORDON WEST AND JIM BEVER
MANILA FOR USAID/DCHA/OFDA
LONDON FOR POL/REIDEL
TREASURY FOR GENERAL COUNSEL/DAUFHAUSER AND DAS JZARATE
TREASURY ALSO FOR OFAC/RNEWCOMB AND TASK FORCE ON TERRORIST
FINANCING
JUSTICE FOR OFFICE OF THE DEPUTY ATTORNEY GENERAL/DLAUFMAN

E.O. 12958: N/A

TAGS: PHUM PTER CASC PGOV NP IN

SUBJECT: NEPAL: UPDATE ON MAOIST ACTIVITIES, JAN 18-24

REFERENCE: (A) KATHMANDU 0089

(B) KATHMANDU 0087

SUMMARY

1. Peace talks remain elusive with conflicting reports about backchannel Government-Maoist communications. The Government of Nepal has said it will not send a formal invitation to the Maoists until they stop their violence, while Maoists have warned of severe consequences if talks are not held and their student leaders not released. The National Human Rights Commission claimed that the Maoists are in regular contact and desire to hold a peace dialogue, but only with an all-party interim government. Maoists are taking advantage of isolated areas along the Nepali-India border to smuggle contraband into Nepal, while the local press has reported that India pledged to set up military stations along the border to cope with both Nepali and Indian militants. Victims of the insurgency are planning to stage a protest against the Government for its failure to provide assistance. Several human rights groups have approached the Government, under fire for refusing a Supreme Court order to release several detainees, to improve the human rights situation and admit past mistakes.

2. Summary continued. Maoists killed three Armed Police Force (APF) personnel in the mid-west, one police officer and one Royal Nepal Army (RNA) soldier. The insurgents continued their assaults on civilians, killing six people, including an 8-year-old and an 11-year-old child. Seventeen women were abducted by the Maoists in Salyan District for "volunteer service," and the Maoists also kidnapped a teacher, a Communist Party of Nepal-United Marxist Leninist (CPN-UML) activist, a local social activist, a soldier and a female police officer. Maoists have disrupted postal service in Pyuthan District. People are abandoning their jobs and homes in Baglung District because of increased pressure from the Maoists. Schools in the Doti, Achham and Bajura Districts are on the verge of closure because students and teachers have fled to other parts of Nepal and India to avoid the Maoists. End Summary.

NO PEACE TALKS FORTHCOMING; MIXED MESSAGES ALL AROUND

3. Kuber Sharma, Minister for Tourism, Culture and Civil Aviation, told reporters on January 17 that the committee formed to facilitate peace talks between the Government of Nepal (GON) and the Maoists has failed to bring about any positive results. Members of the committee, however, claim that the committee is in a "progressive phase," and that peace talks are at a "confidence building" stage. Committee members refused to elaborate on the new developments, and said a deadline could not be placed on when talks would take place. Sharma reiterated that the GON would not issue a formal invitation to the Maoists unless the Maoists stop their violence.

4. The Maoists, meanwhile, issued a warning to the GON, conveyed by a former abductee, to hold talks soon or face severe consequences. The insurgents also warned the GON to release its student leaders, threatening to send thousands of armed students to the capital if the GON did not comply.

5. Press reports claim that the Maoists are in regular contact with members of the National Human Rights Commission (NHRC), who said the Maoists are interested in holding peace talks, but only with an all-party interim government. Conflicting reports, however, cite the Maoists as saying they would talk only with the King. In addition to demands for an interim government, the Maoists want assurance that they will not be arrested at peace talks. Nayan Bahadur Khatri, Chairman of the National Human Rights Commission, said the Maoists are to blame for the failed progress in

peace dialogue. Khatri cited their lack of sincerity and failure to respect human rights as hindrances to the resolution of the current crisis.

SMUGGLING ACROSS THE NEPAL-INDIA BORDER

16. Isolated areas along the Nepal-India border are reportedly becoming hot spots for Maoists, who use the terrain to smuggle contraband. According to local reports, gunpowder, explosives, arms and even tobacco and liquor from India are being smuggled into Nepal. The post at Koilabus, which is only 34 kilometers from the Maoists' Dang District training center, is difficult to reach by vehicle and no security personnel have been posted there.

17. George Fernandes, India's Defence Minister, was quoted in the local press stating that India would soon set up two military stations along the Bihar-Nepal border. Fernandes said the stations were being set up in response to the increasing activities of "Nepal's Maoist extremists" and reports of smuggling. Fernandes offered that the checkpoints would help cope with enemies from the outside as well as internal insurgencies.

MURDER AND MAYHEM BY MAOISTS

18. Three Armed Police Force (APF) personnel were killed and eighteen others were injured by a landmine blast in Surkhet District on January 23. The police were on routine patrol when the landmine, reportedly planted by Maoists, exploded near a bridge. A two-hour clash between the APF and the Maoists followed. One policeman was killed and several others injured when Maoists ambushed a patrol group of 35 officers in northwestern Jumla District on January 22. On January 20 a soldier from the Royal Nepal Army (RNA) was killed when Maoists detonated a landmine in northeastern Solukhumbu District. In Rupandhihi District, two policemen were seriously wounded on January 17 when their jeep hit a landmine.

19. Two children, age 8 and 11, were killed in Jumla District after playing with a bomb left by Maoists. Maoists reportedly chopped off a student's hand before releasing him from captivity. The boy had been abducted from Dang District while playing football. Insurgents severely beat a villager in Nuwakot District whom they accused of being a polygamist, and also killed two civilians in Khotang District, claiming that they had been spying for security forces. A Nepali Congress supporter was beaten to death in Dang District on January 23 by a group of Maoists. The insurgents shot and seriously wounded a civilian in Sindhupalchowk District on January 17. The insurgents also shot and killed a man on January 15 in Rautahat District while he was taking part in a wedding procession.

110. The insurgency continues to cause hardship in the far western hills of Bajura District. Residents have been left without telephone lines after Maoists destroyed communication towers. According to the District Agriculture Office, not only has rice output in the district decreased, but Maoists are demanding a contribution from families as well, leaving limited supplies for families. Supplies of rice from outside areas have been unable to make it into the district because of lack of security and looting by Maoists.

MAOISTS CONTINUE ABDUCTIONS OF CIVILIANS

111. In Dolakha District, Maoists abducted a soldier guarding the Khimti Hydro project on January 17. A female police officer was also abducted by the Maoists from her residence on January 19, but was released, unharmed, twenty hours later. Seventeen women in Salyan District were taken by the Maoists for "volunteer service." Maoists reportedly took one woman from each household and did not tell the families where they were being taken. A high school teacher, affiliated with the Nepal National Teachers' Organization, was abducted from his home outside of Sankhuwasabha District on January 21 by a group of Maoists.

112. Maoists, once again, targeted associates of the Communist Party of Nepal-United Marxist Leninist (CPN-UML), kidnapping one member in Baglung District on January 21 and another District Committee Member in Dhankuta District. A locally prominent, social activist of Nuwakot District was taken by Maoists after they stormed into a meeting and grabbed him. His whereabouts are still unknown. Maoists have released the four Communist Party of Nepal-United Marxist Leninist (CPN-UML) workers abducted a week ago in Bhojpur District (ref A). According to press reports, the CPN-UML members were abducted for organizing meetings without getting permission from the Maoists.

113. Maoists still have not released the five people they

abducted from the Food For Work Programme (FWP) in Mugu District in the far northwest. Human rights activists have demanded their release, saying that the kidnappings are a violation of international human rights law. The five have been held since December 23.

14. Eighty students abducted from Salyan District last week have been released. The Maoists had kidnapped the students, ages 15 and 16, to train them in guerilla warfare.

INSURGENCY CAUSING JOB AND SCHOOL ABANDONMENT

15. Villagers are fleeing from Baglung District out of fear for their safety. Maoist threats of violence have forced almost 100 people to leave their homes and, according to the District Administration Office (DAO), the numbers are increasing. Escalating Maoist violence in other districts such as Dang, Nepalgunj and Jumla has also caused government and non-government workers, teachers and security personnel to abandon their jobs as well as their homes. The Maoists have stepped up their campaign of violence against the workers for what they see as a lack of assistance. Many have quit their jobs and are fleeing to India.

16. Government schools in mid-western Nepal are at risk of being closed down because of dwindling attendance by students and the fleeing of teachers due to the Maoist insurgency. Schools in the Doti, Achham, and Bajura Districts have been abandoned by teachers and students. Teachers have fled the schools to avoid Maoists who force the teachers to donate a percentage of their salary and also for safer working conditions. Maoists have also been forcing students to participate in weekly Maoist programs. According to reports, over fifty percent of the students have also fled to India and other parts of Nepal to avoid forced recruitment by the Maoists and harassment by security forces.

17. Postal service is almost non-existent in Pyuthan District. Maoists are harassing postal carriers and have destroyed most of the post offices. Now the insurgents have stopped delivery of mail to security personnel as well as the local villagers. No one has complained about active Maoist censorship of personal mail for fear of retaliation by the Maoists.

CHALLENGE TO IMPROVE HUMAN RIGHTS

18. The Government of Nepal is under fire for its refusal to release several detainees, even after being ordered to do so by the Supreme Court of Nepal. The National Human Rights Commission (NHRC) has urged the GON to comply with the order and respect basic human rights, declaring in a letter sent to Prime Minister Lokendra Chand that it would be "ridiculous" if the GON does not obey the order and thus encourage "gross violations of human rights." The four detainees are being held under the Terrorist and Destructive Activities Act, on suspicions of being Maoists.

19. Krishna Pahadi, Chairman of the Human Rights and Peace Society Nepal, wants the GON to admit human rights abuses in other cases and compensate the families who have suffered because of the violations. The request follows the admission by the government that the five youths killed by the Royal Nepal Army (RNA) Nuwakot on November 27 were innocent civilians (ref B).

20. The Government announced that a human rights cell has been established within the Armed Police Force (APF). The cell is headed by a Deputy Inspector General of Police and consists of senior police officers. A similar cell is also being formed in the civilian police force.

21. The National Assembly Social Justice Committee, a division of the Upper House of Parliament, called for an immediate stop to human rights violations, and has also questioned the government over the insufficient supply of passports in districts throughout Nepal. The Committee is also seeking clarification pertaining to news reports which allege that people injured as a result of operations carried out by security forces are being denied medical treatment.

VICTIMS OF MAOIST INSURGENCY PROTEST GOVERNMENT

22. Victims of Maoist atrocities are planning a mass rally to protest the Government of Nepal's (GON) lack of assistance. The Maoist-Affected Victim's Association (MAVA) announced that it would stage protests beginning on January 24 and ending February 12. MAVA is also planning a sit-in in front of Singha Durbar on February 4, hoping to bring traffic to a standstill for an hour. MAVA claims that the government has not honored the assistance program promised by the Deuba government. MAVA is demanding an increase in

financial assistance, medical care, pensions for the widows of murdered schoolteachers, and scholarships for the children of victims. Under Prime Minister Chand, MAVA claims that financial allowances for the displaced have been terminated, medical treatment is limited to only three months, and the financial compensation is inadequate.

MALINOWSKI